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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/520,526	01/07/2005	Thomas Belling	449122078900 9255 EXAMINER		
25227	7590 07/06/2006				
MORRISO	MORRISON & FOERSTER LLP			HEALY, BRIAN	
1650 TYSONS BOULEVARD SUITE 300			ART UNIT	PAPER NUMBER	
MCLEAN,	VA 22102		2883		
		•	DATE MAILED: 07/06/200	DATE MAILED: 07/06/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

1)⊠ Responsive to communication(s) filed on 19 May 2006. 2a)☐ This action is FINAL. 2b)⊠ This action is non-final. 3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☒ Claim(s) 1-18 s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)☐ Claim(s) is/are allowed. 6)☐ Claim(s) is/are objected to. 8)☐ Claim(s) is/are objected to. 8)☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)☐ The specification is objected to by the Examiner. 10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☐ All b)☐ Some * c)☐ None of: 1.☐ Certified copies of the priority documents have been received. 2.☐ Certified copies of the priority documents have been received in Application No 3.☐ Copies of the certified copies of the priority documents have been received in Application No 3.☐ Copies of the certified copies of the priority documents have been received in Application No 3.☐ Copies of the Certified copies of the priority documents have been received in Application No 3.☐ Copies of the Certified copies of the priority documents have been received. Attachment(e) 1)☐ Notice of References Cited (PTO-892) 2)☐ Notice of References Cited (PTO-892) 3)☐ Notice of References Cited of Drawing Review (PTO-948)							
## Examiner ## Art Unit ## 2883 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. **Sample of time may be available under the presence of 3° CFR 1.350b, In no event, however, may a reply be tended from the presence of 10° CFR 1.350b, In no event, however, may a reply be tended from the mailing date of this communication. **Fairn to reply within the set or entended priced for reply will, by stanistic, cause the application to become ABANDONED (35 U S.C § 1.33). **Fairn to reply within the set or entended priced for reply will, by stanistic, cause the application to become ABANDONED (35 U S.C § 1.33). **The Depth of the reply is applicated on the mailing date of the communication, even if thinly field, risy reduce any caunific plates that magnetisment. Sea 37 CFR 1.74(b). **Fairn to reply within the set or entended priced for reply will, by the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to reply will, by the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fairn to reply within the set or entended priced to 10° CFR 1.74(b). **Fair		Application No.	Applicant(s)				
Brian M. Healy 283		10/520,526	BELLING ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Elementors of the may be available under the protections of 37 CR1 13(6), in no event, however, may a reply be timely field If NO period for reply is specified above, the maximum statutory period will apply and well-spre SIX (8) MONTHS from the mailing date of this communication. Fashios to reply within the sof or certified prior for field will be applied and sprey and well-spre SIX (8) MONTHS from the mailing date of this communication, even if firmely field, may reduce any extract patient term stigustment. See 37 CFR 174(7). Status Status 1) Responsive to communication(s) filled on 19 May 2006. 2a This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5 Claim(s) is/are rejected. 7 Claim(s) is/are rejected. 7 Claim(s) is/are rejected. 7 Claim(s) is/are rejected to. 8 Claim(s) is/are allowed. 8 Claim(s) is/are allowed. 8 Claim(s) is/are allowed. 9 The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Se	Office Action Summary	Examiner	Art Unit				
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U.S. Patent and Trademark Office PTOL-326 (Rev. 7-05)

BRIAN HEALY PRIMARY EXAMINER (/ Office Action Summary

Part of Paper No./Mail Date 20060621

Art Unit: 2883

DETAILED ACTION

Response to Amendment

The reply filed on 5/19/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The newly presented claims 1-18 are in improper format because the originally filed claims 1-6 have been neither amended or cancelled. There are now two sets of claims 1-6. If the original claims 1-6 are to be cancelled then later filed claims 1-18 must be re-numbered as claims 7-24 and be labeled as (new) and not (original). If original claims 1-6 are to be amended then the amended claims must include brackets or strikethrough for deleted subject matter and underlining for added subject matter and should be labeled as (amended). The substitute specification, filed 1/4/2006, must include a marked up copy showing detetions (by bracketing or strikethrough) and insertions (by underlining) based upon the originally filed specification as well as a clean copy of the specification with the insertions/deletions being already made. Even though translation mistakes were made in the original presentation of the application, it is Applicant's responsibility to present any amended subject matter that corrects the originally filed claims and specification by amending or canceling the originally filed claims and specification Applicant is cautioned against the addition of new matter. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) **DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Application/Control Number: 10/520,526

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian M. Healy whose telephone number is (571)272-2347. The examiner can normally be reached on Compressed schedule Mon.-Fri. 6AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571)272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian M. Healy Primary Examiner Art Unit 2883

BRIAN HEALY PRIMARY EXAMIN**ER**